

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
(Case No. 01-468)

IN THE APPLICATION OF:

Van Waterschoot, et al.

Serial No. 09/807,489

Filed: April 13, 2001

Title: PUFA Supplements

Examiner:

To Be Assigned

Group Art Unit:

To Be Assigned

**TRANSMITTAL LETTER**

BOX PCT

Commissioner for Patents  
Washington, D.C. 20231

Sir:

In regard to the above identified application:

1. We are transmitting herewith the attached:

- a. Response To Notification of Missing Requirements;
- b. Copy of Notification of Missing Requirements Under 35 U.S.C. 371;
- c. Executed Declaration and Power of Attorney;
- d. Petition For One Month Extension of Time; and
- e. Postcard.

2. With respect to additional fees:

- a.   X   Attached are two checks:
  - 1. \$130.00 = Late Filing Fee for Declaration
  - 2. \$110.00 = Filing for One Month Extension of Time
- c.        Charge the total additional fee to our Deposit Account No. 13-2490. A duplicate copy of this sheet is enclosed.

3. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2490. A duplicate copy of this sheet is enclosed.

4. CERTIFICATE OF MAILING UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Box Missing Parts, Washington, D.C. 20231 on this 26<sup>th</sup> day of July, 2001.

By:

*Alison J. Baldwin*  
Alison J. Baldwin  
Reg. No. P-48,968

If the check is inadvertently omitted, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, or should an overpayment be included herein, the Assistant Commissioner is authorized to deduct or credit said fees from or to McDonnell Boehnen Hulbert & Berghoff, Account No. 13-2490.

Please date stamp and return the accompanying postcard to evidence receipt of these documents.

Respectfully submitted,

McDonnell Boehnen Hulbert & Berghoff

Date: 7/26/01

By:

A handwritten signature in cursive script, appearing to read "Alison J. Baldwin", written over a horizontal line.

**Alison J. Baldwin**  
Reg. No. P-48,968



U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/807489	VAN WATERSCHOOFF	01-468
INTERNATIONAL APPLICATION NO.		

CURT J WHITENACK  
300 SOUTH WACKER DRIVE SUITE 3200  
CHICAGO, IL 60606

PCT/EP99/07834

I.A. FILING DATE	PRIORITY DATE
15 OCT 99	15 OCT 98

DATE MAILED: 21 MAY 2001

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as ☐ a Designated Office (37 CFR 1.494) ☒ an Elected Office (37 CFR 1.495):

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> U.S. Basic National Fee.   | <input type="checkbox"/> Indication of Small Entity Status.                         |
| <input checked="" type="checkbox"/> Copy of the international application.   | <input type="checkbox"/> Translation of the international application into English. |
| <input type="checkbox"/> Oath or Declaration of inventors(s).  | <input type="checkbox"/> Translation of Article 19 amendments into English.         |
| <input type="checkbox"/> Copy of Article 19 amendments.  | <input type="checkbox"/> Other:   |
| <input checked="" type="checkbox"/> Priority Document.   |   |
| <input checked="" type="checkbox"/> The International Preliminary Examination Report in English and its Annexes, if any. |   |
| <input type="checkbox"/> Translation of Annexes to the International Preliminary Examination Report into English.        |   |

2. ☐ Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.

- |   |   |
|---|---|
| <input type="checkbox"/> U.S. Basic National Fee. | <input type="checkbox"/> Copy of the international application. |
|---|---|

3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- |  |
|--|
| <input type="checkbox"/> a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.   |
| <input type="checkbox"/> The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.   |
| <input type="checkbox"/> b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).  |
| <input checked="" type="checkbox"/> c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date. |
| <input type="checkbox"/> The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.   |
| <input checked="" type="checkbox"/> d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).  |

4. Additional claim fees of \$\_\_\_\_\_ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

5. ☐ Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.

**ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

6. If box 3a or 3c is checked, a translation of the Annexes **MUST** be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.

7. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

**A copy of this notice MUST be returned with this response.**

Enclosed: ☐ PCT/DO/EO/917  
☐ PTO-875

☐ Notice of Defective Translation  
☐ PCT/DO/EO/920

Charitta A. Burt, Paralegal

Telephone: 703-305-3734

**DOCKETED**

FORM PCT/DO/EO/905 (March 2001)

MAY 23 2001

DUE DATE: 7/21/01  
BY: K. B. J. M. J.

BEST AVAILABLE COPY